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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/522,135

01/24/2005

Akira Yukawa

Q85896

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23373

7590

01/12/2006

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EXAMINER

LIE, ANGELA M

ART UNIT

PAPER NUMBER

2821

DATE MAILED: 01/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.	Applicant(s)	
10/522,135	YUKAWA ET AL.	
Examiner	Art Unit	
Angela M. Lie	2821	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


TAN HO
PRIMARY EXAMINER

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>1/24/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Remarks

1. The Information Disclosure Statement submitted on January 24, 2005, was not fully considered. In particular the non-patent literature was not reviewed because the copies of those documents were not submitted along with the application. If the applicant wishes to have those references considered, the applicant shall submit the copies of those documents before or with the next amendment.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 4-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The phrases: "a start time of the specific time zone" and "an end time of the specific time zone" occurring in claims 4-7, are unclear and therefore indefinite. Time zone does not have a start or end. The applicant is requested to clarify those phrases. Furthermore in claim 4, a start and end times of specific time zone are the same since they are both determined as a length of time passed subsequent to sunset. The examiner is unclear if the start and end represent the same time. If yes what is the purpose of splitting them to two separate categories. The

applicant is requested to clarify this deficiency. For the purposes of the examinations, the examiner considers the start and end times of the specific zone to correspond to one time.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-3, 7 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Dando (US Patent 6127926).

As to claim 1, Dando discloses a security lighting apparatus which comprises: a human body detector for detecting a human body within a detection area (Figure 8, element 8); an illuminator for illuminating the detection area when a human body is detected (Figure 8, element 9); a time zone setting device for setting a specific time zone during which a security check must be made (column 10, lines 46-51 and column 13, lines 15-19; since circuitry is equipped in the memory unit and in addition circuit timer can be set, the device is capable of setting specific time zone, i.e. so it is known when exactly intruder entered the property); and an alert device operable, when the human body is detected within the detection area during the specific time zone, to issue an alert to an intruder entering the detection area (Figure 8, element 9; column 10, lines 46-51).

As to claim 2, Dando discloses the security lighting apparatus wherein the alert device issues the alert by repeatedly turning the illuminator on and off (column 10 lines 46-48, i.e. light pulsating).

As to claim 3, Dando discloses the security lighting apparatus wherein the alert device issues the alert in the form of sounds or in the form of a combination of blinking of the illuminator and sounds (column 10, lines 46-51).

As to claim 7, Dando discloses the security lighting apparatus wherein the time zone setting device comprises: a clock for clocking (column 18, line 62); a start time setting unit for setting a start time of the specific time zone; and an end time setting unit for setting an end time of the specific time zone (wherein those two times are considered to represent any time because as it was stated in the objection above the phrase "start and end times of the specific time zone" is unclear; column 18, line 58).

As to claim 9, Dando discloses the security lighting apparatus further comprising at least a camera for taking a picture of the detection area when illuminating light from the illuminator blinks (column 12, lines 1-6; i.e. intruder photo can be taken when intruder is in the specified, protected area).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dando (US Patent 6127926) in the view of Fufidio et al (US Patent 6720874). Dando teaches the security lighting apparatus as disclosed in claim 1, wherein the system comprises means for verifying an intruder as well as an authorized person (column 12, lines 53-67), however Dando does not specifically disclose that the times when the resident comes back or leaves are recorded. Fufidio on the other hand teaches an intrusion detection apparatus wherein the device comprises a home return determining unit for determining a return of a house resident back to a house (Figure 6, element 214, wherein the employee or an authorized personnel corresponds to the house resident), a start time setting unit for setting a start time of the specific time zone as a confirmation hour at which it has been confirmed that all of house residents returned home (since circuitry taught by Fufidio can track employees, the apparatus is also capable of recording the time when all the residents (employees) enter the building (paragraph 3, figure 6, element 216); an end time setting unit for setting an end time of the specific time zone, as a length of time passed from the confirmation hour; and an elapsed time measuring unit for measuring a length time passed from the confirmation hour (paragraph 3, since the apparatus is capable of tracking employees with respect to time, it is also capable of performing the function described above). It would have been obvious to one of the ordinary skill in the art during the time the invention was made to incorporate the tracking system (system recording authorized people entering and exiting an area) as taught by Fufidio into the security system as taught by Dando, because it would allow to increase the security in the building. For instance if some

crime would take place, police could use the recorded data i.e. people entering building as well as the times when they were in the building, to investigate the crime. Such a system would be very useful not only in residential properties but also any kind of bureau (paragraph 3).

Allowable Subject Matter

8. Claims 4-6 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

9. The following is a statement of reasons for the indication of allowable subject matter:

As to claim 4, the prior art fails to teach a security lighting apparatus wherein the device comprises: a sunset detecting unit, a start time setting unit for setting a start and end times in the specific time zone corresponding to the sunset (wherein the examiner believes that start time and end time should correspond different times or events i.e. sunrise and sunset, wherein those times are not the same).

As to claim 5, the prior art fails to teach the security lighting apparatus wherein the device comprises: a sunset detecting unit for detecting sunset; a sunrise detecting unit for detecting sunrise; a start time setting unit and an end time setting unit for setting the start and end times respectively based on the time of sunrise and sunset.

As to claim 6, the prior art fails to teach the security lighting apparatus wherein the device comprises: a sunset detecting unit for detecting sunset; a sunrise detecting

unit for detecting sunrise; a past data accumulating unit for accumulating a predetermined number of past sunset/sunrise hours; a start time setting unit and an end time setting unit for setting the start and end times respectively based on the time of sunrise and sunset.

The Prior Art

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- US Patent 6204762 discloses remote guard presence system comprising an alarm system including flashing lights and sirens and sensors for recognizing an intruder.
- US Publication 20040036603 discloses a lighting security system comprising plurality of lights which turn on when intruder enters protected area, light pack also comprises imaging unit, timer processing element, motion sensors, audible activator.

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angela M. Lie whose telephone number is 571-272-8445. The examiner can normally be reached on M-F.


TAN HO
PRIMARY EXAMINER

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on 571-272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Angela M Lie


TAN HO
PRIMARY EXAMINER